

Practitioner's Docket No. 2757/101

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Marc O. Schurr

Application No.: 10/722,109
Filed: 11/25/2003
For: Medical Implant

Group No.: 3774
Examiner: Matthews, W.H.

***RESPONSE UNDER
37 C.F.R. § 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP
3774***

Attention: Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT OR RESPONSE AFTER FINAL REJECTION--TRANSMITTAL

1. Transmitted herewith is an amendment after final rejection (37 C.F.R. 1.116) for this application.

STATUS

2. Applicant is other than a small entity .

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.
Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4)) for one month:

Fee: \$120.00

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

| (Col.1) | (Col. 2) | (Col. 3) | OTHER THAN SMALL ENTITY |
|--|--------------------------------------|--------------------------|-------------------------|
| CLAIMS REMAINING AFTER AMENDMENT | HIGHEST NO PREVIOUSLY PAID FOR | PRESENT EXTRA RATE | ADDIT. FEE |
| TOTAL 6 MINUS 36 = 0 x \$ 50.00 = \$ 0.00 | | | |
| INDEP 1 MINUS 3 = 0 x \$ 210.00 = \$ 0 | | | |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM | | + \$ 0.00 | = \$ 0.00 |
| | | TOTAL \$ 0.00 | |
| | | ADDIT. FEE | |

No additional fee for claims is required.

FEE PAYMENT

5. Authorization is hereby made to charge the amount of \$120.00 to Deposit Account No. 19-4972.

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

FEE DEFICIENCY

6. If any additional extension and/or fee is required, charge Account No. 19-4972.

If any fee for claims is required, charge Account No. 19-4972.

Date: August 6, 2008

/Moses A. Heyward, #61,140/

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02757/00101 918742.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Schurr Att'y Docket: 2757/101
Serial No: 10/722,109 Examiner: Matthews, W.H.
Date Filed: November 25, 2003 Art Unit: 3738
Invention: Medical Implant

Attn: Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT

Dear Sir:

In response to the Office Action of April 25, 2008, made final, Applicant responds as follows.

Applicant requests entry of the **Amendments to the Claims** reflected in the **Listing of the Claims** on page 2 of this paper.

Remarks begin on page 4 of this paper.

Applicant submits that the present amendment places the application in condition for allowance and, in the alternative, simplifies the issues for appeal.